REMARKS

The present application has been reviewed in light of the Office Action dated June 19, 2009. Claims 1-4 are presented for examination, of which Claim 1 is in independent form. Claim 1 has been amended to define Applicants' invention more clearly. Favorable reconsideration is requested.

Claim 1 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement and Claims 1-4 under 35 U.S.C. § 112, second paragraph as being indefinite. Applicants have carefully reviewed and amended Claim 1 as deemed necessary to ensure that Claims 1-4 conform fully to the requirements of Section 112, first and second paragraphs, with special attention to the points raised in paragraphs 7-10 of the Office Action. Support for the amendments can be found in at least paragraphs 20, 23 and 24. It is believed that the rejections under Section 112, first and second paragraphs, have been obviated, and their withdrawal is therefore respectfully requested.

The Office Action states that Claims 1-4 are rejected under § 103(a) as being unpatentable over U.S. Patent No. 6,125,354 (*MacFarlane et al.*), in view of U.S. Patent No. 7,020,628 (*Peterson et al.*). Applicants submit that independent Claim 1, together with the claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

As best understood by Applicants, *MacFarlane et al.* relates to a system and method for generating an invoice to re-bill charges to individual elements of an organization. Apparently, *MacFarlane et al.* teaches that a user code can be entered during the re-billing process which corresponds to the level of the organizational hierarchy to which the user wishes

to apply a charge. If the user code identifies an individual element of an organization, the charge is then spread over all sub-elements of that individual element.

In stark contrast, amended Claim 1 recites:

> reading a business model file comprising at least one business dimension within the entity, the at least one business dimension including:
>
> organizational information including a list of a plurality of groups within the entity, and
>
> application profile information <u>including associations of one or more computer-related hardware processing tasks that utilize one or more of the plurality of computer-related hardware processing jobs executed by the provider to each group and to one or more of the unique identifiers</u>; and
>
> <u>allocating the billing information by the at least one business dimension including matching each of the plurality of unique identifiers to one or more of the computer related hardware processing tasks performed by each group</u>.

(Emphasis added.)

As explained in ¶ [0023] of the specification of the subject application, each of the various jobs performed by the computing provider are assigned unique identifiers which are not otherwise used by the computing provider. These unique identifiers allow an entity to determine which <u>groups and corresponding subgroups</u> are using technology resources to perform particular tasks which utilize the jobs performed by the providers, and adjust technology consumption appropriately. By virtue of the features of Claim 1, the unique identifiers <u>do not identify the user</u> of the technology resources, but rather <u>identify the job and hence task</u> the technology resource was used to accomplish. The present invention thus provides a benefit that *MacFarlane et al.* cannot, namely, the ability to identify both the group and particular job that correspond to a consumption of technology resources.

Moreover, Applicants respectfully disagree with the Examiner's comments on pages 6 to 7 of the Office Action which characterize "element[s] such as accounting department,

human resources department, or payroll department" as a task for purposes of a unique identifier. These elements are not the type of tasks or jobs contemplated by Claim 1 when it recites computer-related hardware processing jobs. Instead, these elements are similar to the groups with which the unique identifiers are matched in Claim 1. Thus, a payroll department is a group and not a computer-related hardware processing job.

Accordingly, Applicants submit that Claim 1 allowable over *MacFarlane et al.*

Furthermore, nothing has been found in *Peterson et al.* that is believed to remedy the above-mentioned deficiencies of *MacFarlane et al.* as applied against independent Claim 1. *Peterson et al.*, as best understood by Applicants, relates to a method for tracking remote computer access and associated costs. Apparently, an authorized user to a computer network is required to exchange credentials with a host server, triggering a starting timestamp. An ending time stamp is triggered when the user hangs up or otherwise disconnects from the network. Thus, while *Peterson et al.* discloses monitoring costs associated with computer access, it is not understood to teach or reasonably suggest monitoring costs based on computer-related hardware processing jobs, and therefore does not teach or reasonably suggest unique identifiers which identify computer-related hardware processing jobs.

Accordingly, Applicants submit that Claim 1 is allowable over *Peterson et al.*

Applicants further submit that a combination of *MacFarlane et al.* and *Peterson et al.*, assuming such combination would even be permissible, would fail to teach or suggest reading a business profile and allocating the billing information using unique identifiers that identify a plurality of computer-related hardware processing jobs, as recited in Claim 1. Accordingly, Applicants submit that Claim 1 is patentable over the cited art, and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a).

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place the present application in condition for allowance. Therefore, entry of this Amendment under 37 C.F.R. § 1.116 is believed proper and is respectfully requested, as an earnest effort to advance prosecution and reduce the number of issues. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for this Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 50-3939.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Jonathan Berschadsky/
Jonathan Berschadsky
Attorney for Applicants
Registration No. 46,551

FITZPATRICK, CELLA, HARPER & SCINTO
1290 Avenue of the Americas
New York, NY 10104-3800
Facsimile: (212) 218-2200

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